

N.L.R.B.
18-CA-103319

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 9th day of August, two thousand eighteen.

Present:

Rosemary S. Pooler,
Denny Chin,
Christopher F. Droney,
Circuit Judges.

Apple American Group LLC, DBA Applebee's Neighborhood
Grill and Bar,

Petitioner-Cross-Respondent,

v.

16-4232 (L),
17-168 (XAP)

National Labor Relations Board,

Respondent-Cross-Petitioner.

Respondent moves, unopposed, for summary reversal of its administrative order, in light of the Supreme Court's recent decision in *Epic Systems Corp. v. Lewis*, 138 S. Ct. 1612 (2018). Upon due consideration, it is hereby ORDERED that the motion is GRANTED, Petitioner's petition for review is GRANTED, Respondent's cross-application for enforcement is DENIED, and the case is REMANDED for the Respondent to take any actions needed to give effect to this order.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit







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